

AMENDED IN SENATE JUNE 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 763

Introduced by Assembly Member Chesbro
(Coauthor: Senator Wiggins)

February 26, 2009

An act to add Section 19596.21 to the Business and Professions Code, relating to horse racing, and ~~making an appropriation therefor~~ *declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 763, as amended, Chesbro. Horse racing: Humboldt County Fair.

~~(1) Existing~~

Existing law provides for the operation of live horse racing by associations and fairs, and for wagering thereon, and for the operation of satellite wagering facilities, subject to regulation and oversight by the California Horse Racing Board, as specified.

This bill would, during calendar periods when a thoroughbred association or fair in the northern zone and the Humboldt County Fair simultaneously conduct live race meetings, permit the Humboldt County Fair and a thoroughbred association in the southern zone when conducting a live race meeting to accept wagers on the result of *not more than 8* out-of-state thoroughbred horse races *in addition to those already authorized in law*, if specified conditions are met.

~~(2) Under existing law, all revenues distributed to the state as license fees from horse racing are required to be deposited in the Fair and Exposition Fund and are continuously appropriated to the Department of Food and Agriculture for various regulatory and general governmental purposes.~~

~~This bill would authorize additional wagering, and would increase the amount of continuously appropriated license fees, thereby making an appropriation.~~

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19596.21 is added to the Business and
2 Professions Code, to read:

3 19596.21. (a) ~~Notwithstanding~~*In addition to the authorizations*
4 *to accept wagers on out-of-state and out-of-country races pursuant*
5 *to Sections 19596.2 and 19596.3 and in any other provision of*
6 law, during calendar periods when a thoroughbred association or
7 *another fair in the northern zone and the Humboldt County Fair*
8 simultaneously conduct live race meetings, the Humboldt County
9 Fair and a thoroughbred association in the southern zone when
10 conducting a live race meeting may accept wagers ~~on the result of~~
11 *days when live races are being run on the results of not more than*
12 *eight out-of-state thoroughbred horse races, if all of the following*
13 conditions are met:

14 (1) The authorization complies with federal laws, including, but
15 not limited to, Chapter 57 (commencing with Section 3001) of
16 Title 15 of the United States Code.

17 (2) The Humboldt County Fair conducts at least six live races;
18 ~~and the fair and the thoroughbred association in the southern zone~~
19 ~~import not more than eight out-of-state races on those days during~~
20 ~~a racing meeting when live races are being run.~~

21 (3) The Humboldt County Fair and thoroughbred association
22 in the southern zone shall accept ~~wagers~~ *these wagers only* on
23 out-of-state thoroughbred races ~~commencing that commence~~ before
24 4:30 p.m., Pacific standard ~~time, without the consent of an~~
25 association ~~that is then conducting a live racing meeting in this~~
26 ~~state; time.~~

27 (b) The Humboldt County Fair may contract with the
28 thoroughbred association or fair in the southern zone to distribute
29 the signal statewide on its behalf.

1 (c) Any thoroughbred association or fair accepting wagers
2 pursuant to this section shall conduct the wagering in accordance
3 with the applicable provisions of Sections 19601, 19616, 19616.1,
4 and 19616.2, except that subdivision (i) of Section 19601 shall not
5 be applicable for the purpose of fulfilling the authorization
6 described in this section.

7 *SEC. 2. This act is an urgency statute necessary for the*
8 *immediate preservation of the public peace, health, or safety within*
9 *the meaning of Article IV of the Constitution and shall go into*
10 *immediate effect. The facts constituting the necessity are:*

11 *In order to alleviate economic uncertainty for the Humboldt*
12 *County Fair, preserve jobs, ensure that live horse racing continues*
13 *in Humboldt County each year, and for this act to apply to the*
14 *2009 racing season, it is necessary that this act take effect*
15 *immediately.*